

		CHRIS WADE , brother, was appointed Successor Conservator on 9-19-11.	NEEDS/PROBLEMS/COMMENTS:
		The Successor Conservator's First Account was settled on 3-14-13. On that date, the Court set this status hearing for the filing of the Second Account.	<ol style="list-style-type: none"> 1. Need Second and Final Account of Successor Conservator. 2. The trust created by substituted judgment is subject to continuing jurisdiction. Therefore, the trust must be filed into its own case pursuant to Local Rule 7.1.2. - Need filing fee \$435.00 to create new case.
Aff.Sub.Wit.		Note: On 2-25-14, the Court granted the Successor Conservator's Petition for Substituted Judgment and the Order for Substituted Judgment to Transfer Assets to Revocable Living Trust was signed. The order authorized Chris Wade as Conservator to execute the Ron C. Wade Revocable Living Trust and transfer the assets of the conservatorship estate to the trust, which is subject to continuing jurisdiction.	Also, the Court will set status hearings for applicable events in that case as follows: - Friday 4-25-14 for filing new trust case - Friday 7-24-15 for filing first account in new trust case
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Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 3-18-14
			Updates:
			Recommendation:
			File 1 – Wade

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

DOD: 05/01/05		<p>KIMIKO SMALL, daughter, was appointed Executor with full IAEA and without bond on 08/08/05. Letters Testamentary were issued on 08/02/05.</p> <p>Inventory & Appraisal, final filed 06/04/13 - \$240,500.00</p> <p>Notice of Status Hearing filed 11/22/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to attorney Linda Durost and Kimiko Small on 11/22/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 02/21/14</u> As of 03/19/14, nothing further has been filed in this matter.</p> <p>1. Need First Account or Petition for Final Distribution.</p>
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		<p>Reviewed by: JF</p> <p>Reviewed on: 03/19/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 – Myers</p>	

Atty	Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)
Atty	Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta “Rosa” Verni, daughter, and Nicola “Nick” Verni, son)
Atty	Phillips, John, of Wild, Carter & Tipton (for Leonard “Dino” Verni, son)
Atty	Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Leonarda DOD: 7/31/2000	CARMELA DeSANTIS , daughter and Trust Beneficiary, filed the following pleadings in this matter:	NEEDS/PROBLEMS/COMMENTS:
Saverio DOD: 5/25/2009		
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	<ul style="list-style-type: none">Petition to Remove Trustees; Appoint Receiver; Surcharge Trustees; Deny Trustees Compensation; Impose Constructive Trust on Assets; and Cause Proceedings to Trace and Recover Assets on 7/26/2012.Amended Objections to First Account Current of Trustee, and Objections to Second Account Current of Trustee on 7/26/2012.Petition to Construe Trust Provision on 7/26/2012.Petition to Establish Claim of Ownership, in Favor of Trust, to Property and for Order Directing its Transfer to the Trustees to Hold in Trust on 8/14/2012.	<p>Page 3B is the Petition to Remove Trustees, etc.</p> <p>Page 3C is the Petition to Construe Trust Provision.</p> <p>Page 3D is the Petition to Establish Claim of Ownership in Favor of Trust to Property, etc.</p> <p>Page 3E is the Petition for Review of Accounts and Acts of Trustees.</p>
	NICOLA "NICK" VERNI , son and Successor Trustee of the SURVIVOR'S TRUST , and ANTONIETTA "ROSA" VERNI , daughter and Trustee of the MERGED FAMILY SUB-TRUST , filed the following pleadings in this matter:	
	<ul style="list-style-type: none">Response to Petition to Remove Trustees, etc. on 9/27/2012.Response to Petition to Construe Trust Provision on 9/27/2012.Response to Petition to Establish Claim of Ownership on 9/27/2012.	
	Court Trial Minutes – 2nd Day dated 1/27/2014 directed counsel to submit a list setting forth the depositions they wish the Court to review and consider, including objections thereto, and counsel is to submit their closing briefs [by the dates indicated, which were subsequently changed to later dates (now passed) by filed stipulation and signed order.] Court set this Status Hearing on 3/21/2014.	
		Reviewed by: LEG
		Reviewed on: 3/18/14
		Updates:
		Recommendation:
		File 3A – Verni

3B In the Matter of the Verni Family Trust (Trust)**Case No. 10CEPR00639**

Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)

Atty Armo, Lance, sole practitioner (for Leonard "Dino" Verni, son)

Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Petition to: (1) Remove Trustees; (2) Appoint Receiver; (3) Surcharge Trustees; (4) Deny Trustees Compensation; (5) Impose Constructive Trust on Assets; and (6) Cause Proceedings to Trace and Recover Assets [Prob. C. 15642, 16420 & 17200]

Leonarda DOD: 7/31/2000		<p>CARMELA DeSANTIS, daughter and Trust Beneficiary, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> The VERNI FAMILY TRUST of 1999 was created by SAVERIO VERNI and LEONARDA VERNI on 6/10/1999, and was amended once by Settlers on the following day, 6/11/1999; Leonarda died on 7/31/2000, thereby causing the Trust to be divided into three sub-trusts: the VERNI MARITAL TRUST, the VERNI FAMILY TRUST, (which was amended once during both Trustors' lifetimes), and the VERNI SURVIVOR'S TRUST (copies of Trusts attached as Exhibit A); following Leonarda's death, Saverio amended the SURVIVOR'S TRUST seven times, with the <i>Eighth Amendment</i> (the final) amending the SURVIVOR'S TRUST in its entirety; Saverio served as sole trustee of the three sub-trusts until his death on 5/25/2009, and upon his death the Marital Sub-Trust terminated and its principal was added to the Family sub-trust, which became the MERGED FAMILY SUB-TRUST; Pursuant to the Trust terms, ANTONIETTA ROSA VERNI, daughter, is first appointed and currently serves as Successor Trustee of the Merged Family Sub-Trust; pursuant to the <i>Eighth Amendment</i> to Trust, NICOLA VERNI, son, is first appointed and currently serves as Successor Trustee of the SURVIVOR'S TRUST; The beneficiaries of each of the Sub-Trusts are the Settlor's five children: ANTONIETTA ROSA VERNI (Rosa), NICOLA VERNI (Nick), LEONARD VERNI (Dino), MARIA STANZIALE, and CARMELA DeSANTIS (Petitioner); and specific distributions from the Survivor's Sub-Trust are to ERLINDA MARCIANO VERNI (\$200,000.00) and ST. ANTHONY OF PADUA CATHOLIC CHURCH (\$200,000.00); Following the death of Saverio and Leonarda, the Merged Family Sub-Trust names Rosa as First Successor Appointee, and Maria as Second Successor Appointee; Eighth Amendment provides that upon Saverio's ceasing to act as trustee, Nick will serve as trustee of the Survivor's Sub-Trust; Petitioner seeks a Court order pursuant to Probate Code § 15642 removing Rosa as trustee of the Merged Family Sub-Trust, and removing Nick as trustee of the Survivor's Sub-Trust; Petitioner also seeks a determination by the Court that Dino is not qualified to serve as next successor trustee of the Survivor's Sub-Trust. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/27/2014.</p> <p>Minute Order states Order Appointing Court Approved Reporter as Official Reporter Pro Tempore is signed by the Court.</p> <p>Note: Additional notes pages originally prepared with respect to this petition have been omitted.</p>
Saverio DOD: 5/25/2009			
Cont. from 091112, 100212, 120512, 010313, 022113, 032213, 052413, 062113, 062813, 083013, 092713, 103013, 120613, 012714			
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		Reviewed by: LEG	
		Reviewed on: 3/18/14	
		Updates:	
		Recommendation	
		File 3B - Verni	

Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)

Atty Phillips, John, of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)

Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Petition to Construe Trust Provision [Prob. C. 17200]

Leonarda DOD: 7/31/2000	<p>CARMELA DeSANTIS, daughter and Trust Beneficiary, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> The VERNI FAMILY TRUST of 1999 was created by SAVERIO VERNI and LEONARDA VERNI on 6/10/1999, and was amended once by Settlers on the following day, 6/11/1999; Leonarda died on 7/31/2000, thereby causing the Trust to be divided into three sub-trusts: the VERNI MARITAL TRUST, the VERNI FAMILY TRUST, (which was amended once during both Trustors' lifetimes), and the VERNI SURVIVOR'S TRUST (copies of Trusts attached as Exhibit A); The instant petition relates to a provision contained in the SURVIVOR'S SUB-TRUST; over Petitioner's objections, Trustees Nick and Rosa have provided a commingled accounting for the Merged Family and Survivor's Sub-Trusts, which fails to segregate each Sub-Trust's assets, liabilities, receipts and disbursements; The failure to appropriately segregate assets, liabilities, receipts and disbursements among the Sub-Trusts prevents the Court, trustee and beneficiaries from determining the size and holdings of the SURVIVOR'S SUB-TRUST; because the SURVIVOR'S SUB-TRUST will be used to fund the above-referenced equalization provision, any appropriate increase in size to that particular Sub-Trust will allow greater realization of the Trustor's intent and will provide a means for effectuating the equalization of prior distributions; conversely, any inappropriate decrease in the size of the SURVIVOR'S SUB-TRUST will undermine the Trustor's intent and deny the Trustee the ability to effectuate an equalization; The Trustee of the SURVIVOR'S SUB-TRUST believes that distributions made during Saverio's lifetime should not be considered for purposes of the equalization process; Petitioner believes this to be contrary to the language of the provision and intent of the Trustor. <p>Petitioner requests a judicial declaration from the Court concerning the proper construction of Subsection 1, of Section B, or Article IV of the SURVIVOR'S SUB-TRUST [refer to copy of Trust or Paragraph 11 of Petition for exact language requiring apportionment of the residue of the trust estate into equal shares for Trustor's living children.]</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/27/2014. Minute Order states Order Appointing Court Approved Reporter as Official Reporter Pro Tempore is signed by the Court.</p> <p>Note: Additional notes pages originally prepared with respect to this petition have been omitted.</p>
Saverio DOD: 5/25/2009		
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Reviewed on: 3/18/14		
Updates:		
Recommendation:		
File 3C - Verni		

3D In the Matter of the Verni Family Trust (Trust) Case No. 10CEPR00639

Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)

Atty Phillips, John, of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)

Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Petition to Establish Claim of Ownership, in Favor of Trust, to Property and for Order Directing its Transfer to the Trustees to Hold in Trust (Prob. C. 850, 17200.1)

Leonarda DOD: 7/31/2000	CARMELA DeSANTIS , daughter and Trust Beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:																																													
Saverio DOD: 5/25/2009																																															
Cont. from 100212, 120512, 010313, 022113, 032213, 062113, 062813, 083013, 092713, 103013, 120613, 012714	Summary of Petitioner's requests for specific relief:	<p>Continued from 1/27/2014. Minute Order states Order Appointing Court Approved Reporter as Official Reporter Pro Tempore is signed by the Court.</p> <p>Note: Additional notes pages originally prepared with respect to this petition have been omitted.</p>																																													
<table border="1"> <tr><td>Aff.Sub.W</td><td></td></tr> <tr><td>✓ Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>Notice of Hrg</td><td></td></tr> <tr><td>Aff.Mail</td><td></td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>✓ Pers.Serv.</td><td></td></tr> <tr><td>Conf. Screen</td><td></td></tr> <tr><td>Letters</td><td></td></tr> <tr><td>Duties/S</td><td></td></tr> <tr><td>Objection</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>✓ Order</td><td></td></tr> <tr><td>Aff. Post</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>	Aff.Sub.W			✓ Verified		Inventory		PTC		Not.Cred.		Notice of Hrg		Aff.Mail		Aff.Pub.		Sp.Ntc.		✓ Pers.Serv.		Conf. Screen		Letters		Duties/S		Objection		Video Receipt		CI Report		9202		✓ Order		Aff. Post		Status Rpt		UCCJEA		Citation		FTB Notice	
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Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)

Atty Phillips, John, of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)

Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Petition for Review of Accounts and Acts of Trustees [Prob. C. 16063(a)(5); 17200(b)(5)]

Leonarda DOD: 7/31/2000		CARMELA DeSANTIS , daughter and Trust Beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 1/27/2014.</u> Minute Order states Order Appointing Court Approved Reporter as Official Reporter Pro Tempore is signed by the Court. Note: Petitioner's prayer requests the Court disallow the accounts. Petitioner requests in the body of the <i>Petition</i> that the Court review the Second, Third and Fourth Accounts, but because the subject accounts have not been filed with the Court by the Co-Trustees as the fiduciaries, the accounts have not been reviewed by the Court.																																												
Saverio DOD: 5/25/2009																																															
Cont. from 120613, 012714		Summary of Petitioner's requests in the Prayer for Relief:																																													
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		<ul style="list-style-type: none"> That each of the Second, Third, and Fourth Accounts Current submitted to Petitioner by the Co-Trustees be disallowed; That the Co-Trustees, and each of them, be ordered to compensate the estate for any loss caused by their acts and omissions; That the Trustees be directed to prepare and file a true and full account of their acts and proceedings within such time as may be allowed by this Court; and That Petitioner be reimbursed attorney's fees and costs. 																																													
		Petitioner states the following in support of the requests for relief:																																													
		<u>Accounts Provided by the Trustees</u>																																													
		<ul style="list-style-type: none"> On or about 8/26/2010, the Co-Trustees, Rosa and Nick Verni, filed a <i>First Account Current and Report of Trustees and Petition for its Settlement</i>; On 10/5/2010, Petitioner filed written objections to the <i>First Account Current</i> based on, among other things, the limited scope of the Account, the Trustees' failure to render separate accountings for each Sub-Trust, the failure to provide information pertaining to transactions involving the Trustees, as well as with respect to various farming operations being managed by the Trustees on behalf of the Trust; At Petitioner's request, the Trustees provided Petitioner with a <i>Second Account Current</i>, covering the period of 1/1/2010 through 12/31/2010; 																																													
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Petitioner states, continued:

- On 7/26/2012, Petitioner filed written *Objections to Second Account Current*, and attached a copy of the *Second Account Current (copy of the Objections to Second Account Current filed by Petitioner on 7/26/2012 attached as Exhibit B)*;
- The *Second Account Current* continued to be deficient in the same respects as noted with respect to the *First Account Current*, among others;
- In spite of Petitioner's repeated objections, the Trustees continue to fail to properly account to Petitioner and other beneficiaries, as required by the terms of the Trust and Probate Code § 16062 et seq., in the *Third Account Current*, covering the period of 1/1/2011 through 12/31/2011, mailed to Petitioner at her request on or about 11/19/2012, and the *Fourth Account Current* covering the period of 1/1/2012 through 12/31/2012, mailed to Petitioner at her request on or about 4/19/2013;
- The manner in which such Accounts are deficient is further described in Petitioner's *Objections to Third Account Current*, attached as *Exhibit C*, and Petitioner's *Objections to Fourth Account Current* attached as *Exhibit D*;
- Article 11, Section 4 of the Trust requires the Trustees to render an accounting upon written request of any beneficiary;
- To date, the Trustees have failed to provide adequate accounts in response to Petitioner's requests pursuant to this provision, thereby necessitating this request that the Court review the Second, Third and Fourth Accounts Current and the acts of the Trustees.

Response to Petition for Review of Accounts and Acts of Trustees filed on 12/5/2013 by Trustees Nick Verni and Rosa Verni states:

- Trustees admit that they filed the First Account Current and Report of Trustees and Petition for Settlement on 8/26/2010; Trustees further admit that Petitioner filed written objections to the First Account Current on 10/5/2010; however, Trustees deny that any deficiencies exist, legal or otherwise, in the First Account Current;
- Trustees admit that they submitted the Second Account Current to Petitioner; Trustees further admit that Petitioner filed written objections to the Second account current on 7/26/2012; however, Trustees deny that any deficiencies exist, legal or otherwise, in the Second Account Current;
- Trustees admit that they submitted the Third Account Current to Petitioner on or about 11/19/2012; Trustees further admit that they submitted the Fourth Account Current to Petitioner on or about 4/19/2013; however, Trustees deny that any deficiencies exist, legal or otherwise, in the Third Account Current and Fourth Account Current;
- The Trustees have filed a full account of their acts and proceedings during the period embraced thereby, and their Report and Account should be allowed and approved;
- Trustees expressly deny that any of the Second, Third and Fourth Accounts Current are deficient or otherwise fail to comply with the Trust or the requirements set forth in the Probate Code;

Trustees pray for an Order of this Court finding that:

1. The objections of Petitioner be dismissed;
2. All acts and transactions of the Trustees as reflected in the Account and Report be ratified and confirmed;
3. The Trustees be authorized and directed to continue the administration of the Sub-Trusts until such time as the remaining tasks discussed herein are accomplished, the remaining legal actions discussed herein are resolved, and a plan of final distribution can be presented to the beneficiaries of the trust for their consent;
4. Petitioner take nothing by way of her Petition; and
5. Attorney's fees and costs of suit are awarded to Respondents.

Atty Wright, Janet L. (for Conservatee Barnett Seymour Salzman)

Atty Motsenbocker, G.L. (for Vance Severin and Terri Severin – Temporary Conservators)

Status Hearing Re: Filing of First Account

Age: 74	TEMP (ESTATE ONLY) EXPIRES 5-12-14	NEEDS/PROBLEMS/COMMENTS:
Cont. from 032913, 042613, 061413, 100413	VANCE SEVERIN and TERRI SEVERIN , Brother and Sister of Mr. Salzman's wife, Stacy Salzman, were appointed as Temporary Co-Conservators of the Person and Estate without bond (bond upon permanent appointment) on 9-25-12.	<u>Note</u> : The last status report of the temp conservators was filed 10-2-13. That report indicated that an offer was pending at a price far below the anticipated price, and also indicated that a mechanic's lien had been filed; however, the contractor was "a complete and total fraud" (no license). Thereafter, the temp conservators had filed a complaint with the Fresno County District Attorney and requested an additional 90 days to sell the house. <i>However, an accounting is due regardless of the status of the sale. Probate Code §§ 2255, 2256, 2257, 2620.</i>
Aff.Sub.Wit.	At a hearing on 11-5-12, the Court set this status hearing for the filing of the first account.	
Verified	On 12-10-12, The Temporary Co-Conservators were authorized to sell the Conservatee's real property, with proceeds to be deposited into a blocked account.	
Inventory	At hearing on 1-7-13, the petition for conservatorship of the <u>person</u> was withdrawn, and the conservatorship of the <u>estate</u> was extended to 3-29-13, but limited to the sale of the property and negotiate and settle with the Conservatee's creditors, including California Franchise Tax Board and IRS.	1. Need account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt	At various hearings, the temporary conservatorship of the estate was extended. At a status hearing on 1-10-14, the temporary was extended to 5-12-14.	
CI Report		
9202		
Order		
Aff. Posting	Minute Order 1-10-14: The Court is advised that there is a mechanic's lien and things are not going well. Matter is continued to 5-12-14. The temporary is extended to 5-12-14.	Reviewed by: skc
Status Rpt		Reviewed on: 3-17-14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice	<u>Note</u> : The Public Guardian's First and Final Account was settled on 1-29-14.	File 7B - Salzman

Probate Status Hearing Re: Failure to File a Final Account or Petition for Final Distribution

DOD: 04/05/03		<p>EDWARD L. MYERS, JR. and MONIQUE M. HUTCHINGS, were appointed as Co-Administrator's with Will Annexed on 08/19/03.</p> <p>Letters of Administration with Will Annexed were issued on 08/19/13.</p> <p>Inventory & Appraisal, partial No. 1 filed 04/08/04 - \$707,312.97</p> <p>Inventory & Appraisal, final filed 04/21/04 - \$16,968.64</p> <p>Inventory & Appraisal, partial No. 1 corrected filed 11/10/04 - \$877,312.97</p> <p>Petition for Preliminary Distribution and Statutory Fees filed 03/16/05 was granted on 06/02/05.</p> <p>Ex Parte Petition for Amended Letters granted 05/30/13 ordered that Monique M. Hutchings is the sole Administrator following the death of Edward L. Myers, Jr. and set this matter for status.</p> <p>Amended Letters of Administration with Will Annexed were issued on 06/05/13.</p> <p>Status Report filed 03/14/14 states: most of the property was distributed to the beneficiaries in a preliminary distribution by order of this Court on 06/02/05. The estate contains a bank account with a balance of \$152,980.00 at this time. The Court also allowed the Co-Administrators to form an LLC to hold the remaining assets of the estate, namely, four parcels of environmentally contaminated real property. Pursuant to the Court's order, the Elm & Church, LLC was formed and currently holds a bank account with a balance of \$50,000.00 as well as the four parcels of real property. At the time of decedent's death, an environmental contamination problem related to previously installed underground fuel storage tanks had been discovered and was in the process of being analyzed and remediated by the Decedent utilizing Krazan & Associates ("Krazan"). Krazan determined the existence of contamination from the underground fuel storage tanks and enrolled the property in the State of California Environmental Cleanup Fund, which reimburses property owners for expenses incurred in the identification, analysis and remediation or underground storage tank contamination. Remediation efforts on the property has been ongoing.</p> <p align="right">Continued on Page 2</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 09/20/13</u></p> <p>1. Need Final Accounting and/or Petition for Final Distribution.</p>
Cont. from 071913, 092013			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: JF

Reviewed on: 03/19/14

Updates:

Recommendation:

File 5 – Myers

Status Report filed 03/14/14 (con't): During the administration of the estate, Krazan determined the nature and extent of the environmental contamination and commenced procedures for the remediation of the contamination discovered. All expenses incurred by the estate in connection with the valuation and remediation of the contamination have been reimbursed by the State of California.

As reported in the Petition for Preliminary Distribution filed 03/16/05, the estate's membership interest in the LLC would continue to be held in the estate pending final resolution of the environmental concerns, since distribution of the LLC membership interest to the beneficiaries could expose the beneficiaries to the potential for individual liability, or actual individual liability. In her last status report, the Administrator reported that she thought the remediation could be completed within 3 to 4 months. However, the California Regional Water Quality Control Board – Central Valley Region ("RWQCB"), after inspection of the Property, refused to qualify the case for closure and did not provide a closing letter. The RWQCB instead requested further remediation as well as a study to determine whether current concentrations of petroleum hydrocarbon constituents ("PHCs") on the property pose a threat to human health. The Administrator asked Krazan to provide remediation proposal to the RWQCB, which it did on 02/28/14. The RWQCB reviewed Krazan's proposal, and issued a letter dated 03/11/14, approving the proposal and requiring that a final report issue from Krazan to the RWQCB by 04/07/14. Therefore, the Administrator requests that a status hearing be set at least 3 months from this date in order to provide Krazan with adequate time to complete the remediation of the property and receive a closing letter from the RWQCB.

DOD: 01/17/11	<p>DEBORAH KAMINE, daughter, was appointed Executor with full IAEA authority and without bond on 05/12/11. Letter Testamentary were issued on 05/12/11.</p> <p>Inventory & Appraisal, final, filed 10/11/13 - \$198,712.13</p> <p>Minute Order from status hearing on 10/25/13 set this matter for status regarding filing the Account/Report of Executor on Waiver of Account and Petition for Distribution.</p> <p>Clerk's Certificate of Mailing filed 01/30/14 states that a copy of the minute order from 01/24/14 was mailed to Paul Franco on 01/30/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 01/24/14</u> Minute Order from 01/24/14 states: No appearances. Matter continued to 03/21/14. The Court orders Paul Franco to be personally present on 03/21/14.</p> <p>1. Need Account/Report of Executor on Waiver of Account and Petition for Distribution <u>or</u> verified status report.</p>
Cont. from 012414		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 01/21/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 – Blankenship</p>

DOD: 5-9-11		<p>MAGDALENA MANCILLA was appointed Administrator with Full IAEA without bond on 11-29-11.</p> <p>The Administrator failed to appear for two status hearings on 1-24-13 and 2-22-13, and on 2-22-13, Ms. Mancilla was removed and the FRESNO COUNTY PUBLIC ADMINISTRATOR was appointed as Successor Administrator with full IAEA. Letters issued on 3-6-13.</p> <p>At hearing on 2-22-13, the Court set this hearing for status.</p> <p>Status Report filed 4-9-13 states the real property in Sanger is in foreclosure because there were no estate assets to pay the mortgage. There is the possibility of money coming into the estate from a civil lawsuit, <i>Analilia Anguiano v. Suzette Ihara</i> (Fresno Superior Court Case Number 11CECG01428). It is a physical injury/property damage lawsuit. On 3-19-13, a stipulation and order was filed in the civil matter to continue the trial to 4-21-2014, with mandatory settlement conference set for 3-26-14 and trial readiness hearing on 4-18-14. Therefore, the possibility of any funds coming into the estate soon is improbable.</p> <p>Public Administrator states the estate is not in a position to be settled and requests that further status hearing be set at least nine (9) months from the date of this hearing.</p> <p>Status Report filed 1-17-14 states the real property remains in the foreclosure process. As previously reported, there remains the possibility of money coming into the estate from a civil lawsuit. Settlement conference has been set for 3-26-14 and trial readiness for 4-18-14. The possibility of any funds coming into the estate until after the trial on 4-21-14 is improbably Public Administrator requests the next status hearing be set at least nine months from today's hearing date.</p> <p>Status Report filed 3-12-14 states the Public Administrator previously requested continuance of seven months due to the pending civil litigation. The Court instead set status for two months later. At this time, the Public Administrator is advised that a settlement has been reached but there cannot be a signed agreement until they have a final Medical statement. They expect that within 30 days. Public Administrator requests that the next status hearing not be set before June 6, 2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need amended Inventory and Appraisal pursuant to Probate Code §8900 et seq.</p> <p>2. Need petition for final distribution pursuant to Probate Code §12200.</p> <p>Note: Inventory and Appraisal filed 11-1-11 by the former Administrator indicated a total estate value of \$140,000.00, which consisted of real property valued at \$65,000.00 and a pending personal injury lawsuit valued at \$75,000.00. <i>However</i>, the value of the pending lawsuit was provided by the Administrator rather than the Probate Referee.</p> <p>Note: The decedent left a spouse and five adult children, including the former Administrator, Ms. Mancilla. Ms. Mancilla's original petition listed all relatives at the same address (the decedent's former residence), and all notices were sent to this address.</p>
Cont. from 041213, 011714			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
✓ Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Atty Neilson, Bruce A., and Ivy, Scott J. (of Lang Richert & Patch, for Janette Courtney, Executor)

Status Hearing Re: Filing of the Inventory and Appraisal; Filing of First Account and/or Petition for Final Distribution

DOD: 6-9-11	JANETTE COURTNEY , was appointed Executor with Full IAEA without bond and Letters issued on 9-15-11.	NEEDS/PROBLEMS/COMMENTS:
	Inventory and Appraisal Partial No. 1 filed 2-13-13 included commercial real property valued at \$250,000.00, which was sold pursuant to Order Confirming Sale of Real Property.	Minute Order 4-8-13: Mr. Keeler and Mr. Ivy are appearing via conference call. Mr. Ivy is directed to file a fully executed agreement with the court. Matter is set for Status Hearing on 5/24/13 regarding the settlement agreement and the dismissal. If the agreement and dismissal are filed by 5/24/13, no appearance will be necessary. The status hearing regarding the inventory and appraisal is continued to 6/28/13 for appearance by Mr. Neilson only. Set on 5/24/13 @ 9:00 a.m. Dept. 303 for: Status Hearing Re: Settlement Agreement and Dismissal
Cont. from 040813, 062813, 072613, 100413, 011714	At hearing on 2-25-13, the Court set status hearing for 4-8-13 for the filing of the Final Inventory and Appraisal, filing of the first account, and/or petition for final distribution.	
Aff.Sub.Wit.		Note: Full and Complete Settlement Agreement and Mutual Release of All Claims filed 4-11-13, and dismissal of petition filed by Dennis L. Thomas on 12-19-11 was entered on 5-1-13.
Verified		
Inventory	The status hearing for filing of the final Inventory and Appraisal has been continued to 6-28-13 and now 7-26-13.	As of 3-17-14, nothing further has been filed. The following issues remain:
PTC		
Not.Cred.		1. Need Final I&A.
Notice of Hrg	Status Report filed 7-19-13 states:	
Aff.Mail	<ul style="list-style-type: none"> Petitioner has performed all required duties as personal representative All known debts have been paid except for mortgage on real property which has a market value below the mortgage amount All administration costs to date except for compensation to the personal representative and attorney have been paid The estate is solvent A creditor's claim filed by Steven Drummond has been rejected There is currently no pending litigation involving the estate; however, there is a potential claim against beneficiaries for recovery of a vehicle and reimbursement for sales tax paid The status of a business being operated by a beneficiary, and the estate's current interest therein, has yet to be determined/negotiated. It is estimated that an additional three (3) months will be needed to complete administration of the estate, unless litigation is needed to recover the vehicle. Petitioner requests authority to continue administration until 10-1-13. 	2. Need First Account or Petition for Final Distribution pursuant to Probate Code §12200.
Aff.Pub.		
Sp.Ntc.		Reviewed by: skc
Pers.Serv.		
Conf. Screen		Reviewed on: 3-17-14
Letters		
Duties/Supp		Updates:
Objections		
Video Receipt		Recommendation:
CI Report		
9202		File 8 - Drummond
Order		
Aff. Posting		
✓ Status Rpt		
UCCJEA		
Citation		
FTB Notice	Status Report filed 10/03/13 states: Since the prior status hearing the executor has been able to locate the Chevrolet Suburban, however it is damaged and towing and storage may be equal or more than the value. A compromise with the storage facility is being negotiated. Additionally, no paperwork has been located regarding the horse that a beneficiary claims belonged to the decedent and for which he is making a claim for care and feeding. The estate has rejected the claim. As to the real property in Mariposa, CA, it was thought that the bank was foreclosing on the property, but they have not. Time is requested to appraise and inventory this property and the Suburban as well as resolve the disposition of the horse.	

Atty Hemb, Richard E., of Hemb Law Office (for Michele R. Curley, Administrator)

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 9/7/2012	MICHELE R. CURLEY , Daughter, was appointed Administrator with Full IAEA with bond of \$30,000.00 on 11/7/2012.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 1/17/2014.</u> The following issue from the last hearing remains: 1. Need first account and/or petition for final distribution, or verified status report and proof of service of notice of the status hearing pursuant to Local Rule 7.5(B).
Cont. from 011014, 011714	Minute Order dated 11/8/2013 from the <i>Status Hearing Re: Increase in Bond Based on the Value of the Estate as Shown on the Inventory and Appraisal</i> continued the status hearing to 1/17/2014 for filing of an ex parte petition to increase the bond. Ex Parte Application for Order to Increase Bond was filed 12/5/2013. Order to Increase Bond filed 12/5/2013 grants the Administrator's ex parte application to increase bond, finding bond be increased to \$44,000.00 . Proof of Bond filed 1/14/2014 shows bond of \$14,000.00 was posted. Based on 1/22/2013 bond posted of \$30,000.00 total bond is currently \$44,000.00 .	
Aff.Sub.Wit.		
Verified		
Inventory		
Bond		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt	X	
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 3/18/14
		Updates:
		Recommendation:
		File 9 – Martinez

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Final Inventory & Appraisal filed 10/31/13
DOD:		
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	
		Reviewed by: JF Reviewed on: 03/19/14 Updates: Recommendation: File 10 – Myers

DOD: 9-21-12		<p>ROSARIO R. FORESTIERE, Spouse, was appointed as Administrator with Limited IAEA without bond on 1-3-13 and Letters issued on 1-7-13.</p> <p>At hearing on 1-3-13, the Court set this status hearing for the filing of the first account or petition for final distribution.</p> <p>Status Report filed 3-11-14 by Attorney Wright states that a will has now been discovered and a Petition for Probate of Will is in process. The assets of the estate include the decedent's home, personal vehicle, and personal effects. On 12-31-13, the Court approved the sale of the residence and it is currently in escrow. The estate is not in a condition to be closed until the will has been admitted and escrow has closed.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petitioner states the estate is not in a condition to be closed at this time because a will has been discovered and a Petition for Probate of Will is in process. In addition, escrow on the sale of the residence has not yet closed. The Court may require additional information as to the anticipated time frame for close of escrow, filing the petition for probate of will, and then closing the estate. The Administrator was previously appointed with Limited IAEA without bond. At this time, since the residence has sold for a purchase price of \$175,000.00, the Court may require bond or blocked account going forward. <p><u>Update:</u> The Petition for Probate of Will has been filed and set for hearing on 4-28-14.</p>
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Atty Wilson, Joshua G., of Darling & Wilson, Bakersfield (for Petitioner David J. Agee, Executor)

Status Hearing Re: Filing of the First Account and/or Petition for
Final Distribution

DOD: 6/5/2012		NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR <i>Petition for Settlement of First and Final Account and for Final Distribution, etc., was filed 3/10/2014, and is set for hearing on 4/21/2014.</i>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 3/18/14
		Updates:
		Recommendation:
		File 12 – Agee

Atty Whelan, Brian D., of Whelan Law Group (for Ian Kinsey, as Conservator of the Estate)
 Atty Flanigan, Philip M., sole practitioner (for Ian Kinsey, as Conservator of the Person)

Status Hearing Re: Filing of Increased Bond; and Filing of the First Account

Age: 20 years		IAN KINSEY, brother, was appointed Conservator of the <u>Estate</u> on 1/29/2013 with bond set at \$15,000.00 .	NEEDS/PROBLEMS/COMMENTS:
Cont. from		IAN KINSEY, brother, was appointed Conservator of the <u>Person</u> on 9/17/2013 (<i>Letters of Conservatorship of the Person</i> issued on 9/25/2013.)	1. Proof of Bond of \$15,000.00 filed on 2/6/2013 is insufficient for this Conservatorship Estate, as required under Probate Code § 2320 and CA Rule of Court 7.207. Probate Code § 2320.1 provides that when the Conservator has knowledge of facts from which the Conservator knows or should know that the bond posted is less than the amount required under section 2320, the Conservator and the Attorney shall make an ex parte application for an order increasing the bond to the amount required under section 2320. Accordingly, Probate Code § 2320 requires that the Conservator file proof of additional bond in the sum of \$260,000.00 , in order to bring total bond to \$275,000.00 , the bond amount sufficient pursuant to Probate Code § 2320 and CA Rule of Court 7.207. It is noted that the <i>Minute Order</i> dated 9/17/2013 from the <i>Status Hearing Re: Increase of Bond</i> that Mr. Flanigan informed the Court that Mr. [Ian] Kinsey will not be able to get a bond . However, the duty remains upon Attorney Philip Flanigan and/or Attorney Brian Whelan as well as the Conservator to either comply with Probate Code § 2320.1 for increase in bond, or to request an alternative protection such as placing Conservatee's funds into a blocked account. ~Please see additional page~
	Aff.Sub.Wit.		
	Verified		
✓	Inventory		
	Increased Bond	X	
	Accounting	X	
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.	X	
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt	X	
	UCCJEA		
	Citation		
	FTB Notice		
Proof of Bond in the sum of <u>\$15,000.00</u> was filed 2/6/2013, and Letters of Conservatorship of the Estate issued on <u>2/28/2013</u>.			
Final Inventory and Appraisal filed 5/2/2013 shows an estate consisting of all cash in the sum of <u>\$250,000.00</u> .			
Pursuant to Probate Code § 2620(a), first account was due on <u>2/28/2014</u>.			
Minute Order dated 1/29/2013 from the hearing on the petition for appointment of Conservator of the Estate set the matter for Status Hearing on 3/21/2014 for filing of the first account of the conservatorship.			
Reviewed by: LEG			
Reviewed on: 3/19/14			
Updates:			
Recommendation:			
File 13 – Kinsey			

NEEDS/PROBLEMS/COMMENTS, continued:

2. Pursuant to Probate Code § 2328, Conservator should be required to deposit the entirety of Conservatorship estate funds, or a portion of the funds taking into account the **\$15,000.00** posted bond, into a blocked account for the Conservatorship Estate, with no withdrawals except upon Court order. Probate Code § 2328 provides, in pertinent part, that if the Conservatorship Estate has property which has been deposited with a financial institution, the Court may order that the property shall not be withdrawn except on authorization of the Court, and may either (1) exclude the property deposited in determining the amount of required bond or reduce the amount of the bond to be required with respect to the property deposited to such an amount as the Court determines is reasonable; or (2) If a bond has already been furnished or fixed, reduce the amount of bond to such an amount as the Court determines is reasonable.
3. Attorney **PAUL PIMENTEL** formerly represented the Conservator Ian Kinsey for the petition for appointment of Conservator of the Estate. Mr. Pimentel no longer represents Ian Kinsey, per *Substitution of Attorney* filed 5/24/2013 by Attorney **BRIAN WHELAN**, showing that Mr. Whelan represents Ian Kinsey as Conservator of the Estate as of 5/22/2013. Attorney **PHILIP FLANIGAN** represented Ian Kinsey for the petition for appointment of Conservator of the Person, and appears to remain as attorney for Ian Kinsey as Conservator of the Person. Need clarification of the current attorney representation of the Conservator as to the Person and the Estate, based upon the statement of Attorney Flanigan at the hearing on 9/17/2013 regarding Conservator's inability to obtain bond, which appears to show Attorney Flanigan as the attorney responsible for the Conservator of the Estate obtaining bond.
4. Need first account of the conservatorship estate, or a verified Status Report and proof of service of notice of this Status Hearing with a copy of the Status Report to all interested parties pursuant to Local Rule 7.5(B).
5. Need proof of service of notice of the Status Hearing with a copy of the verified Status Report to Attorney Paul Pimentel, pursuant to the *Request for Special Notice* filed 1/27/2014.

DOD: 11/02/2009	PAIGE MCKERRAL-BURNETT , step-granddaughter, was appointed Administrator with Will Annexed with Limited IAEA authority without bond. Letters issued 08/26/2013 Inventory and Appraisal Partial No. 1 filed 01/15/2014 - \$208,171.00 Minute Order of 08/19/2013 set this status hearing.	NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR INVENTORY AND APPRAISAL FILED ON 03/11/2014</u>
Cont. from 011714		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: LV Reviewed on: 03/18/2014 Updates: Recommendation: File 14 – Gillespie	

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 07/18/2010		<p>SHAWN H. SMITH, nephew, was appointed Administrator with Full IAEA authority with bond set at \$60,000.00.</p> <p>Letters issued 01/10/2014</p> <p>Minute Order of 10/21/2013 set this status hearing.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR. INVENTORY AND APPRAISAL FILED 03/19/2014</u></p> <p>1. Need Final Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: LV</p> <p>Reviewed on: 03/18/2014</p> <p>Updates: 03/20/2014</p> <p>Recommendation:</p> <p>File 15 – Wardlaw</p>	

DOD: 07/13/13		<p>PAMELA J. STRONG, spouse, was appointed as Executor with limited IAEA authority and without bond on 09/16/13. Letters Testamentary were issued on 09/17/13.</p> <p>Minute order from 09/16/13 hearing set this matter for status regarding filing of the Inventory & Appraisal.</p> <p>Inventory & Appraisal, partial no. 1 filed 03/14/14 - \$40,000.00</p> <p>Inventory & Appraisal, Final filed 03/19/14 - \$315,000.00</p>	NEEDS/PROBLEMS/COMMENTS:	
			1. The Inventory & Appraisal, partial no. 1 is missing attachment 1. (No property is listed).	
Cont. from 021414				
Aff.Sub.Wit.				
Verified				
Inventory	x			
PTC				
Not.Cred.				
Notice of Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters				
Duties/Supp				
Objections				
Video Receipt				
CI Report				
9202				
Order				
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
		Reviewed by: JF		
		Reviewed on: 03/19/14		
		Updates:		
		Recommendation:		
		File 16 – Strong		

DOD: 08/19/2013	PUBLIC GUARDIAN , appointed Administrator with full IAEA authority without bond.	NEEDS/PROBLEMS/COMMENTS: 1. Need Final Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
	Letters issued on 10/21/2013.	
Cont. from	Inventory and Appraisal partial No. 1 filed 10/30/2013 - \$450,000.00	
Aff.Sub.Wit.	Inventory and Appraisal partial No. 2 filed 01/02/2014 - \$376,050.27	
Verified	Minute Order of 10/17/2013 set this matter for hearing.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 03/18/2014
		Updates:
		Recommendation:
		File 17 – McPike

Atty Alabart, Javier A. (for Petitioner Alfredo Banda Arriaga, father)
 Atty Fanucchi, Edward L. (for Respondent Maria Luisa Sanchez, purported spouse)
 Atty Kruthers, Heather H. (for Public Administrator, Administrator of the Estate)

Settlement Conference

DOD: 5/14/2004	ALFREDO BANDA ARRIAGA , father, filed a <i>Petition for Preliminary Distribution of Decedent Estate Assets</i> on 10/2/2013, requesting an order for a preliminary distribution of the estate assets, representing that the Petitioner is the sole-surviving parent of the Decedent, and the sole-surviving devisee of the Will signed by the Decedent on 10/16/1997.	NEEDS/PROBLEMS/COMMENTS: This matter will be heard at 10:30 a.m.
Cont. from		
Aff.Sub.W		Notes for Background: <ul style="list-style-type: none"> PUBLIC ADMINISTRATOR was appointed as Special Administrator of the Decedent's estate on 8/30/2005; <i>Letters of Special Administration</i> with Will Annexed were issued to the Public Administrator on 9/27/2005. Inventory and Appraisal was filed on 9/15/2005 showing assets of the estate at that time were valued at \$203,823.43. PUBLIC ADMINISTRATOR was subsequently appointed Administrator of the Estate on 3/28/2006; <i>Letters of Administration</i> with Will Annexed were issued to the Public Administrator on 3/29/2006. Amended First and Final Account of the Public Administrator was approved on 6/25/2012 via <i>Order After Hearing Settling Amended First and Final Account, etc.</i>, finding that after payment of commissions, fees and costs in the amount of \$19,643.43, there will be \$89,703.10 to distribute upon further Court order regarding entitlement to final distribution.
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/S		
Objection		
Video Rct		
CI Report		
9202		
Order	<p>MARIA LUISA SANCHEZ, purported spouse, filed an <i>Opposition to Alfredo Banda Arriaga's Petition for Preliminary Distribution of Decedent Estate Assets</i> on 10/25/2013, representing that this Court ruled 6 years ago that distribution of the estate is controlled by the decree of the Mexican court finding that Ms. Sanchez is the sole heir to the Decedent's estate, and further alleged that the Court should order distribution of the remaining assets of the estate to Ms. Sanchez.</p> <p>Minute Order dated 11/5/2013 states Mr. Fanucchi is appearing via CourtCall. Stipulation and Order to use Certified Shorthand Reporter is signed by the Court. The Court takes the matter under submission.</p> <p>Order on Arriaga's Petition for Preliminary Distribution of Decedent's Estate's Assets filed on 1/24/2014 denies Arriaga's Petition and declines to distribute further assets to Sanchez. The Order concludes:</p> <ul style="list-style-type: none"> Court has expressly found that two issues remain to be tried as to the parties' relative claims to the estate: (1) whether Arriaga's challenge to the orders in Sanchez' favor are untimely and barred; or (2) whether Sanchez' challenge to the estate's distribution was untimely, void and barred; These two issues depend on disputed issues of fact: (1) the address of Arriaga and his wife before and after the time of the filing of the Petition for Probate; (2) the Arriagas' contact, direct or indirect, with the Public Administrator who provided notice of the Petition; and (3) Arriagas' knowledge of the ongoing probate. Also to be tried is the validity of the order for preliminary distribution to Sanchez, as set forth by the Court in its last order dated 8/21/2013. 	
Aff. Post		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 3/18/14
		Updates:
		Recommendation:
		File 1 – Banda-Nieto